

SENATE BILL 174

L2

0lr0409

By: **Senator Glassman**

Introduced and read first time: January 20, 2010

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Charter Counties – Local Laws – Digital Copies**

3 FOR the purpose of authorizing a charter county to make a digital copy of a certain
4 compilation of laws available on the Internet as an alternative to a requirement
5 to provide certain copies to certain entities; altering a certain requirement that
6 a charter county provide a copy of a certain compilation of laws to the
7 Department of Legislative Services to authorize the copy to be in either a digital
8 or printed form; authorizing a charter county under certain circumstances to
9 make a digital copy of certain compilations or codes of local laws available on
10 the Internet as an alternative to a requirement to deposit copies with certain
11 State agencies; making stylistic changes; and generally relating to compilations
12 and codes of local laws of charter counties.

13 BY repealing and reenacting, with amendments,
14 Article 25A – Chartered Counties of Maryland
15 Section 7
16 Annotated Code of Maryland
17 (2005 Replacement Volume and 2009 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article 25A – Chartered Counties of Maryland**

21 7.

22 (a) **(1)** At the end of each calendar or fiscal year, each charter county shall
23 furnish in a convenient and legible compilation a complete set of all laws enacted
24 during that year under the “Express Powers Act” in § 5 of this article, whether to
25 enact, amend, or repeal a local law.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2)** The laws in the compilation shall be in numerical sequence,
2 beginning with No. 1, and in a separate series for each year.

3 **(b) (1)** Copies of this compilation shall be [made]:

4 **(I)** **MADE** available for inspection at the office of the county
5 council, county executive, or county manager, during normal business hours; and

6 **(II)** [copies shall be kept] **KEPT** on permanent record in the
7 same office.

8 **(2)** [Copies also shall be furnished] **EACH CHARTER COUNTY SHALL:**

9 **(I)** **MAKE A DIGITAL COPY OF THE LAWS IN THE**
10 **COMPILATION AVAILABLE TO THE PUBLIC ON THE INTERNET; OR**

11 **(II)** **FURNISH COPIES** to the State Archives, the State Law
12 Library, and to each member of the legislative delegation of the county.

13 **(3)** [The foregoing copies] **COPIES UNDER PARAGRAPH (2)(II) OF**
14 **THIS SUBSECTION** shall be furnished without charge, and the county also may make
15 other copies available at a reasonable cost to any person.

16 **(c)** Not later than March 1 of the next succeeding year, the charter county,
17 without charge, shall furnish [4 copies] **A DIGITAL OR PRINTED COPY** of the
18 compilation to the State Department of Legislative Services.

19 **(d) (1)** [In addition to furnishing copies of the compilation to the State
20 Department of Legislative Services, the] **EACH** charter county shall provide to the
21 **STATE DEPARTMENT OF LEGISLATIVE SERVICES** a statement concerning any
22 referendum on any proposed local law.

23 **(2)** The statement shall include information on the results of any
24 referendum held during the year, and it shall include information as to any
25 referendum pending actually or potentially, but not yet held, at the end of the year.

26 **(e) (1)** At the end of each calendar year the State Department of
27 Legislative Services shall address an inquiry to each charter county inquiring whether
28 or not during that calendar year or its latest fiscal year it has enacted, amended or
29 repealed any portion of its laws under the "Express Powers Act".

30 **(2)** The charter county shall promptly answer the inquiry and shall
31 verify that [copies]:

32 **(I)** **THE TEXT OF ALL ENACTMENTS, AMENDMENTS, OR**
33 **REPEALS HAVE BEEN POSTED ON THE INTERNET; OR**

1 **(II) COPIES** of all such enactments, amendments, or repeals
2 have already been sent to the Department.

3 (f) **(1)** If the charter county **FAILS OR REFUSES TO POST THE**
4 **COMPILATION ON THE INTERNET**, fails or refuses to supply copies of this
5 compilation and of the results of any referenda thereon to the State Department of
6 Legislative Services by March 1 of the next succeeding year, or fails or refuses to
7 certify that there have been no such enactments, amendments, or repeals, or
8 referenda, during the last calendar or fiscal year, the Department shall promptly
9 certify that fact to the State Comptroller, who then may order the discontinuance of all
10 funds, grants or State aid which the charter county is entitled to receive under State
11 law.

12 **(2)** This section refers specifically to all funds, grants or State aid
13 which the charter county is entitled to receive under applicable provisions of State law
14 relating to the income tax, the tax on racing, the recordation tax, the admissions and
15 amusement tax, and the license tax.

16 (g) **(1)** The State Department of Legislative Services shall receive the
17 **[several]** compilations and statements **[thus]** delivered to it.

18 **(2)** The titles of the laws of the several charter counties which amend
19 their codes of public local laws shall be arranged in a logical and convenient order and
20 shall be delivered to the State printer for inclusion in the Session Laws of the General
21 Assembly for its regular session in that year.

22 **(3)** The titles of the laws of the charter counties which amend their
23 codes of public local laws shall be printed and identified as such, and they shall be
24 indexed with or in a supplemental volume to the laws enacted by the General
25 Assembly.

26 (h) Whenever the county council of any county in this State publishes or
27 issues in printed, mimeographed, or similar duplicated form a code or compilation
28 containing all or a portion of the public local laws of the county, the council shall
29 **[deposit]:**

30 **(1) MAKE A DIGITAL COPY OF THE CODE OR COMPILATION ON**
31 **THE INTERNET; OR**

32 **(2) DEPOSIT** copies free of charge with the following State agencies:
33 State Archives, 1 copy; State Law Library, 1 copy; State Department of Legislative
34 Services, 5 copies.

35 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
36 October 1, 2010.